

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

GARNET DIGITAL, LLC,

Plaintiff,

v.

TIVO, INC.,

Defendant.

CIVIL ACTION NO. 6:13-CV-656

JURY TRIAL DEMANDED

ANSWER TO COUNTERCLAIMS OF TIVO, INC.

Plaintiff Garnet Digital LLC (“Garnet”) files this answer to the counterclaims (Dkt. 13) of Defendant, TiVo, Inc. (“TiVo”), based on its own knowledge with respect to itself and its own actions and based on information and belief as to all other matters. Any allegation not specifically admitted is denied.

COUNTERCLAIMS

1. Admitted that the counterclaims seek the relief specified, but denied that they merit such relief. Otherwise denied.

JURISDICTION AND VENUE

2. Admitted that this Court has subject matter jurisdiction over these counterclaims. Admitted that venue is proper for these counterclaims. Otherwise denied.

THE PARTIES

3. Admitted.

4. Admitted.

ACTS GIVING RISE TO THE COUNTERCLAIMS

5. Admitted.

6. Admitted.
7. Admitted.
8. Denied.
9. Denied.

COUNT I
DECLARATORY JUDGMENT OF INVALIDITY OF
UNITED STATES PATENT NO. 5,379, 421

10. Garnet incorporates and realleges the above paragraphs 1–9 as if fully set forth herein.

11. Denied.

COUNT II
DECLARATORY JUDGMENT OF PATENT NON-INFRINGEMENT

12. Garnet incorporates and realleges the above paragraphs 1–9 as if fully set forth herein.

13. Denied.
14. Denied.
15. Denied.

PRAYER FOR RELIEF

Garnet denies that TiVo is entitled to any of the relief sought in its prayer.

JURY DEMAND

Garnet demands a trial by jury of any issues so triable by right.

Dated: December 3, 2013

Respectfully submitted,

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Attorneys for Garnet Digital, LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of December 2013, I caused the foregoing to be electronically with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Matthew J. Antonelli
Matthew J. Antonelli